

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

JUSTIN BORUM, and CHELSEA  
RUSHING, individually and as heirs-at-  
law to the ESTATE OF TERRY  
BORUM, and GRADY BORUM

PLAINTIFFS

V.

SWISHER COUNTY

DEFENDANTS

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CAUSE OF ACTION NO.  
2:14-cv-127

# JURY DEMANDED

**PLAINTIFFS' MOTION FOR COSTS, ATTORNEYS' FEES, AND LITIGATION  
EXPENSES**

Pursuant to Local Rule 7.1 and 54.1, Plaintiffs file this motion for costs, attorneys' fees, and litigation expenses.

As explained more fully in Plaintiffs' contemporaneously filed Brief, Plaintiffs are the prevailing party in this litigation, and are entitled to costs, attorneys' fees, and litigation expenses pursuant to 42 U.S.C. § 1988, and 42 U.S.C. § 12205. Plaintiffs' Appendix contains support for their motion for attorneys' fees, costs, and litigation expenses.

Thus, the Court should grant Plaintiffs' motion for attorneys' fees, costs, and litigation expenses, and award the sum requested in the brief.

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF**

CERTIFICATE OF SERVICE

By my signature above, I certify that a true and correct copy of the foregoing has been served on all counsel of record through the Electronic Case Files System of the Northern District of Texas.

CERTIFICATE OF CONFERENCE

By my signature above, I certify that I attempted, in good faith, to resolve the issue of attorneys' fees and costs prior to filing this motion. Defense counsel, Mark White, initially reached out shortly after the verdict was entered to attempt to resolve these issues. I was later told that he lacked the requisite authority from his client's insurer to negotiate as to rates or hours. If these disputes can be resolved without the court's intervention, I will promptly notify the court of any agreement between the parties.